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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/053,448 04/10/98 MALLART

R PHA23383

EXAMINER

WM01/0814

US PHILIPS CORPORATION
CORPORATE PATENT COUNSEL
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VII. N	
ART UNIT	PAPER NUMBER

2611

DATE MAILED:

08/14/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

[Handwritten signature]

Office Action Summary	Application No.		Applicant(s)	
	09/053,448		MALLART ET AL.	
	Examiner		Art Unit	
	Ngoc K. Vu		2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed may 29, 2001 with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Ely et al. (US 5,796,424).

Regarding claim 1, Walker teaches a method of controlling communication to multiple end users at geographically different locations, comprising: in a broadcasting mode includes broadcasting content information for receipt by the end users (traditional broadcast TV); in a conferencing mode includes enabling interconnecting at least one subset of the end users through a network (Inhabited TV "program"); enabling interaction between the end users of the subset via the network (social chat and interaction are mixed with professional content and programming to create online communities); (see page 149, abstract, 2nd paragraph of Shared spaces and Introduction section). Walker does not specifically disclose the limitation of "enabling switching between the broadcasting mode and the conference mode". However, Ely clearly shows in FIG. 6 a menu included selections for various services such as broadcast TV 602, VOD 604, or videoconferencing 606 (see FIG. 6, lines 6-13). Therefore, It would have been obvious to one of ordinary skill in the art to modify Walker by displaying a menu included plurality of services, e.g., broadcast TV and videoconferencing to viewers in order to provide

viewers the selection of broadband services in a an execution environment quickly and efficiently.

Regarding claim 2, Walker teaches that broadcasting television program with the enduring appeal of audience chat and participation of a group of participants or inhabitants (see page 149, Introduction).

Regarding claim 3, Walker discloses that switching is enabled by a specific event (special events) in the content information broadcasted (see page 149, 2nd paragraph of Shared Spaces).

Regarding claim 4, Walker discloses that the content information comprises video information (TV programs). Walker further discloses the limitations of "creating a graphics" of the video information and providing the graphics representation to the end users in the conference mode. Those are readable on professional content mixes with social conversation in a rich graphical environment (see page 149, 1st paragraph of Introduction).

Regarding claim 5, Walker teaches the limitation of "one or more specific ones of the end users in the subset is enabled to interactively modify the graphics representation" that reads on people are represented in a 3D environment by characters, and can move around, converse and interact in a common context of information and applications (see page 149, 1st paragraph of Shared Spaces).

Regarding claim 6, Walker teaches the limitation of "while in the conferencing mode, the interaction is broadcasted to anther subset of end users" that reads on broadcasting television program with the enduring appeal of audience chat and participation of a group of participants or inhabitants (see page 149, Introduction); and Walker teaches the limitation of "one or more specific ones of the end users in the

subset is enabled to interactively modify the graphics representation" that reads on people are represented in a 3D environment by characters, and can move around, converse and interact in a common context of information and applications (see page 149, 1st paragraph of Shared Spaces).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ely (US 5,796,424) in view of Walker.
5. Regarding claim 7, Ely teaches a system for controlling communication between multiple end users at geographically different locations, comprising: a server (see Fig. 2, 104) comprises a transmission unit for broadcasting content information to the users (see Fig. 2); a respective one of multiple clients for a respective one of the end users, the clients being coupled to the server (see col. 7, lines 38-51), and each respective client being enabled to switch between making accessible to the respective end users the broadcasted content information and enabling entering a conference between the end users of the group via the client (selection buttons for various services provided by broadband network include conventional broadcast TV or videoconferencing) (see Fig. 6; and col. 10, lines 6-13). Ely does not specifically disclose triggering formation of group of end users for conferencing upon an event relating to the broadcasting. However, this limitation is readable on the conferencing is the part of the audience interaction and participation, or multi-user virtual environments via television network, as disclosed by Walker (see abstract and 1st paragraph of Introduction on page 149). Therefore, it would have been obvious to one of ordinary skill in the art to modify Ely by including conferencing between the audiences via television network in order to provide viewers social chat service to enhance the television system.
6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ely et al. (US 5,796,424) in view of Van Der Weij et al. (US 5,781,245).

Regarding claim 8, Ely teaches the server comprising input for receiving video data (102) and output the video services or information to a remote user location (see Fig. 1 B; and col. 5, lines 26-38). Ely fails to teach means for generating a graphics based on the video data. However, Van Der Weij discloses that the video data from server 612 and interactive teletext (TXT) data from generator 614 are supplied to inserter 616 for merging the TXT data and the video data into a TV signal broadcasted by transmitter 618 via network. Therefore, it would have been obvious to one of ordinary skill in the art to modify Ely by merging the teletext data, video data into a TV signal for broadcasting in order to provide viewers the interactive content or interactive program for visual appealing.

9. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hare et al. (US 6,084,638) in view of Ely et al. (US 5,796,424).

Regarding claim 9, Hare discloses a client apparatus for use with a video server, comprising: a receiver for receiving a TV broadcast (television receiver 4); a coder for coding information received via the Internet from another client (see col. 11, lines 49-59). Hare does not specifically disclose the limitation of "the apparatus is operative to selectively control switching the apparatus between making accessible to user the broadcast or making accessible to the user a real time communication channel with another client in response to receipt a control signal from the server". However, Ely clearly shows in FIG. 6 a menu included selections for various services such as broadcast TV 602, VOD 604, or videoconferencing 606 (see FIG. 6, lines 6-13). Therefore, It would have been obvious to one of ordinary skill in the art to modify Hare by displaying a menu included plurality of services, e.g., broadcast TV and

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videoconferencing to viewers in order to provide viewers the selection of broadband services in a an execution environment quickly and efficiently.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hare et al. (US 6,084,638) in view of Ely et al. (US 5,796,424) and further in view of Walker.

Regarding claim 10, Hare and Ely fail to teach limitation of rendering a 3D graphics model and making the rendered model accessible to the user while the user has access to the communication channel. However, Walker discloses that social chat and interaction are mixed with professional content. Furthermore, professional content mixes with social conversation in a 3D graphical environment (see page 149, abstract, 1st paragraph of Introduction and 1st paragraph of Shared Spaces). Therefore, it would have been obvious to one of ordinary skill in the art to modify Rowse by including 3D graphical environment in chat and interaction program in order to present information in a more visually appealing manner.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ireton et al. (US 5,675,512) teaches a low-cost room-based video conferencing systems. Landante et al. (US 5,555,017) teaches a multimedia conferencing system using an enhanced multipoint control unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 703-306-5976. The examiner can normally be reached on Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-746-5967 for regular communications and 703-308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

NV
August 12, 2001


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600